

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THEODORE BLOCK,

Plaintiff,

04cv0781

v.

CITY OF MCKEESPORT, ET AL.,

Defendants.

ORDER GRANTING MOTION FOR PARTIAL SUMMARY JUDGMENT

Before the Court is the defendants' motion for partial summary judgment (Document No. 26), requesting this Court to grant summary judgment in favor of defendants City of McKeesport and the McKeesport Police Department because (i) plaintiff has not offered any evidence in support of his claim against the municipal entities under *Monell v. Dep't of Social Services of the City of New York*, 436 U.S. 658 (1978); and (ii) the Police Department, as an adjunct or department of the City, and not a separate municipal corporation, is not a proper party. Plaintiff did not respond to the motion for partial summary judgment and has advised the Court through counsel that he does not oppose the motion for partial summary judgment. Accordingly, said motion will be granted.

AND NOW, this 7th day of July, 2005, defendants' unopposed motion for partial summary judgment (Document No. 26) is **HEREBY GRANTED. IT IS FURTHER ORDERED** that defendants City of McKeesport and the McKeesport Police Department are **HEREBY DISMISSED** with prejudice.

SO ORDERED this 7th day of July, 2005.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All counsel of record as listed below

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